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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,239	02/05/2002	Terrence John O'Neill	77017-9005-01	7695
23409	7590	01/27/2005	EXAMINER	
MICHAEL BEST & FRIEDRICH, LLP			GOODWIN, JEANNE M	
100 E WISCONSIN AVENUE			ART UNIT	
MILWAUKEE, WI 53202			PAPER NUMBER	

2841

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/068,239	Applicant(s) O'NEILL, TERRENCE JOHN	
	Examiner Jeanne-Marguerite Goodwin	Art Unit 2841	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on September 3, 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-42 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

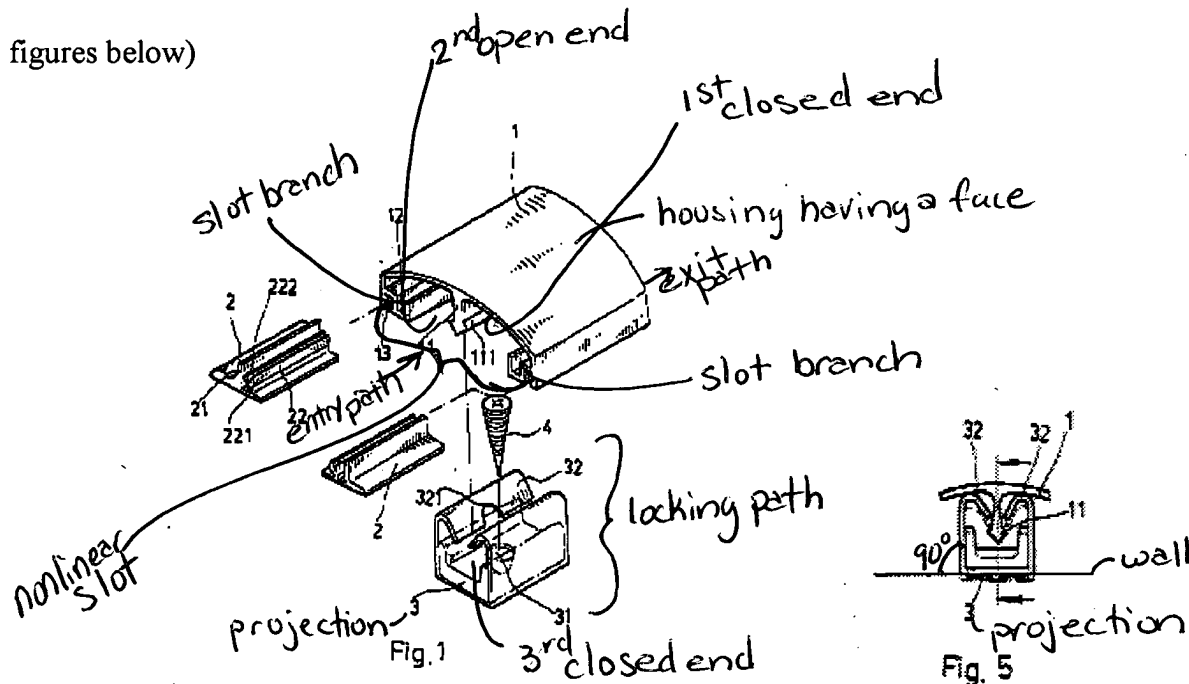
1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claims 1-42 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,856,253 to Jou.

With respect to claims 1-4 and 31-36: Jou discloses a hanger structure on a wall (vertical surface), wherein electrical wiring is concealed by the hanger structure, wherein the hanging structure comprises a housing having a face positioned substantially vertically; and a nonlinear slot cut into the face, the slot having a first end and a second end, the first end being closed and the second end being opened as stated in claim 1; slot branches diverging from the slot and terminating in closed ends as stated in claim 2; wherein the slot appears to have a substantially constant width as stated in claim 3; wherein the slot makes at least one change of direction of greater than 45 degrees as stated in claim 4 (see from the figure below that the slot makes a U-shape around the stripes (111), therefore, it is changing direction from one end of the U to the other end ); wherein the hanger is engageable with a projection extending outwardly from a wall, and wherein the slot defines an entry path for the projection, an exit path for the projection, and at least one locking path for the projection, the locking path being different than the exit path as stated in claim 31; wherein the slot includes a third, closed end, and wherein the locking path extends between the first, closed end and the third, closed end as stated in claim 32; wherein the exit path extends between the first, closed end and the second, opened end, and wherein the entry path extends between the second, opened end and the first, closed end as stated in claim 33;

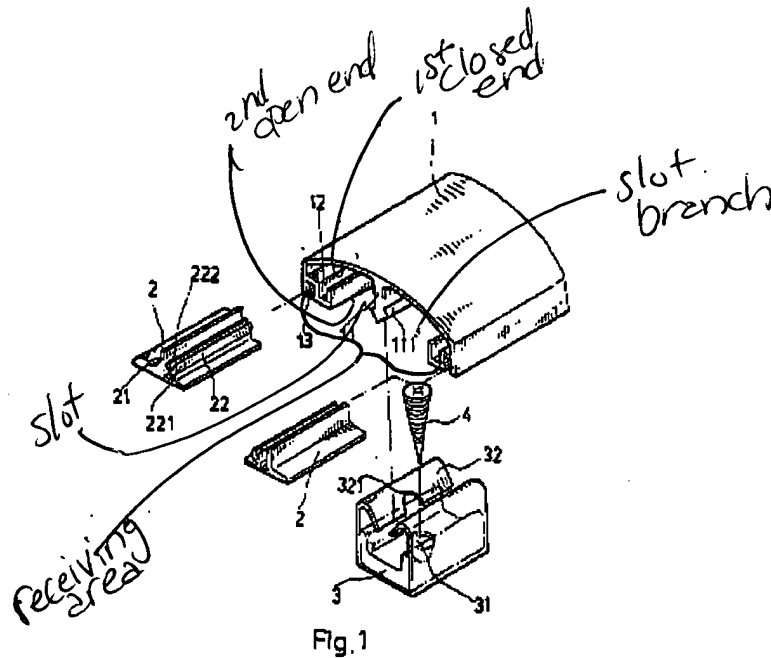
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wherein the exit path appears to include at least one change of direction along the nonlinear slot as stated in claim 34; wherein the change of direction appears to be at least about 45 degrees as stated in claim 35; and wherein at least a portion of the locking path appears to define an acute angle with respect to at least a portion of the exit path as stated in claim 36. (See marked up figures below)



With respect to claim 5: Jou discloses a hanger for supporting a device, wherein the hanger comprising a face positioned substantially vertically; a slot cut into the face, the slot having a substantially constant width (see marked up figure below) and a first end and a second end, the first end being closed and the second end opening into a receiving area, the receiving area appears to be at least twice as wide as the slot (see marked up figure below), and at least one slot branch extending from the slot and having a closed end, the at least one slot branch appearing to have a substantially constant width that appears to be substantially the same as the width of the slot as stated in claim 5 (see marked up figure below).

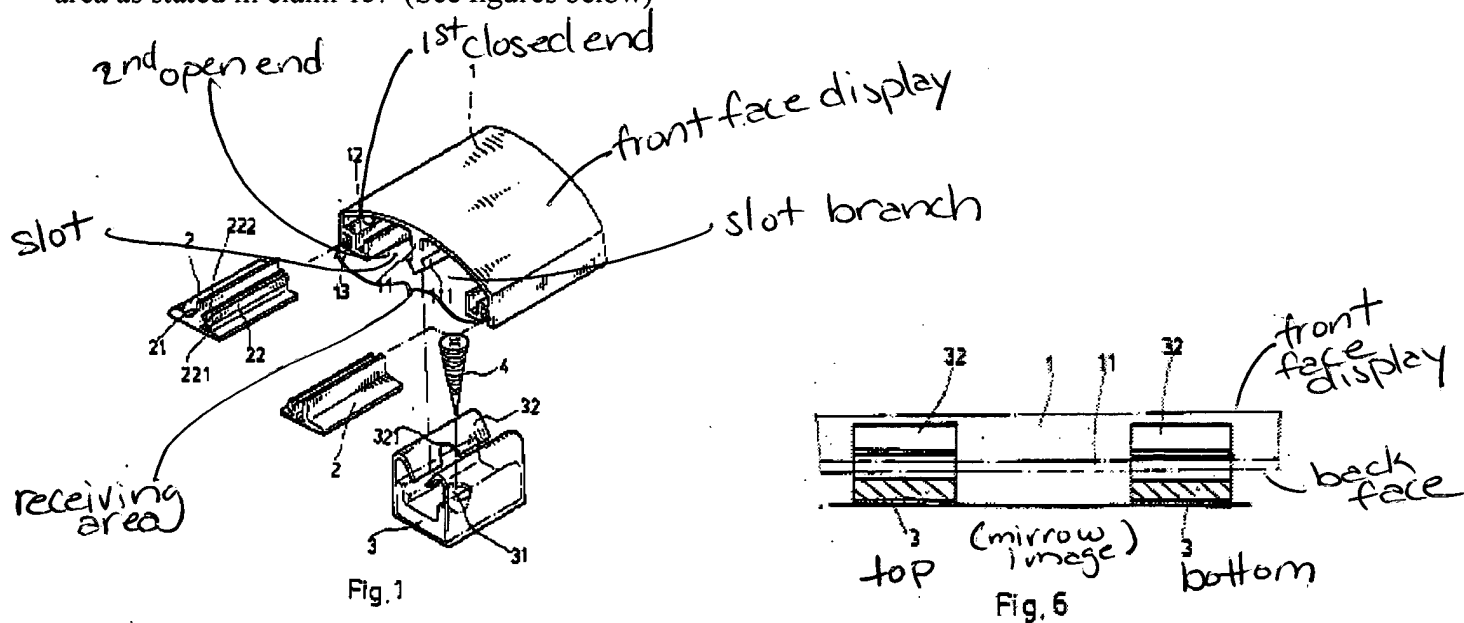
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With respect to claims 6-13: Jou discloses a as marked in figures below, which includes wires (thus is electronic), wherein the device comprises a front face, the front face including a display (column 2, lines 2-3, which explain the design of the face), a back face opposite the front face; and a top hanger formed on the back face, the top hanger including a nonlinear top slot having a substantially constant width and a first, closed end and a second, opened end, the second end opening into a top receiving appears to be at least twice as wide as the top slot as stated in claim 6 (see figure below); furthermore, the device comprising a bottom hanger coupled to the back of the face and spaced apart from the top hanger as stated in claim 7 (see figure below), wherein the bottom hanger includes a nonlinear bottom slot having a substantially constant width substantially equal to the width of the top slot and a first, closed end and a second, opened end, the second end opening into a bottom receiving area that appears to be at least twice as wide as the bottom slot as stated in claim 8, wherein both the top slot and the bottom slot make at least one change of direction of greater than 45 degrees and the degree to which the top slot makes a change of direction that appears to be substantially equal to the

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degree to which the bottom slot makes a change of direction as stated in claim 9 (see from the figure below that the slot and slot branch makes a U-shape around the stripes (111), therefore, it is changing direction from one end of the U to the other end; the device further comprising slot branches (as discussed above) extending from both the top slot and the bottom slot, each slot branch appearing to have a width substantially equal to the width of the top and bottom slots and terminating in a closed end as stated in claims 10 and 11; wherein the bottom slot and the slot branches extending from it are substantially a mirror image of the bottom slot and the slot branches extending from it as stated in claim 12; and wherein the top slot appears to open into the top receiving area in the same direction as the bottom slot opens into the bottom receiving area as stated in claim 13. (See figures below)

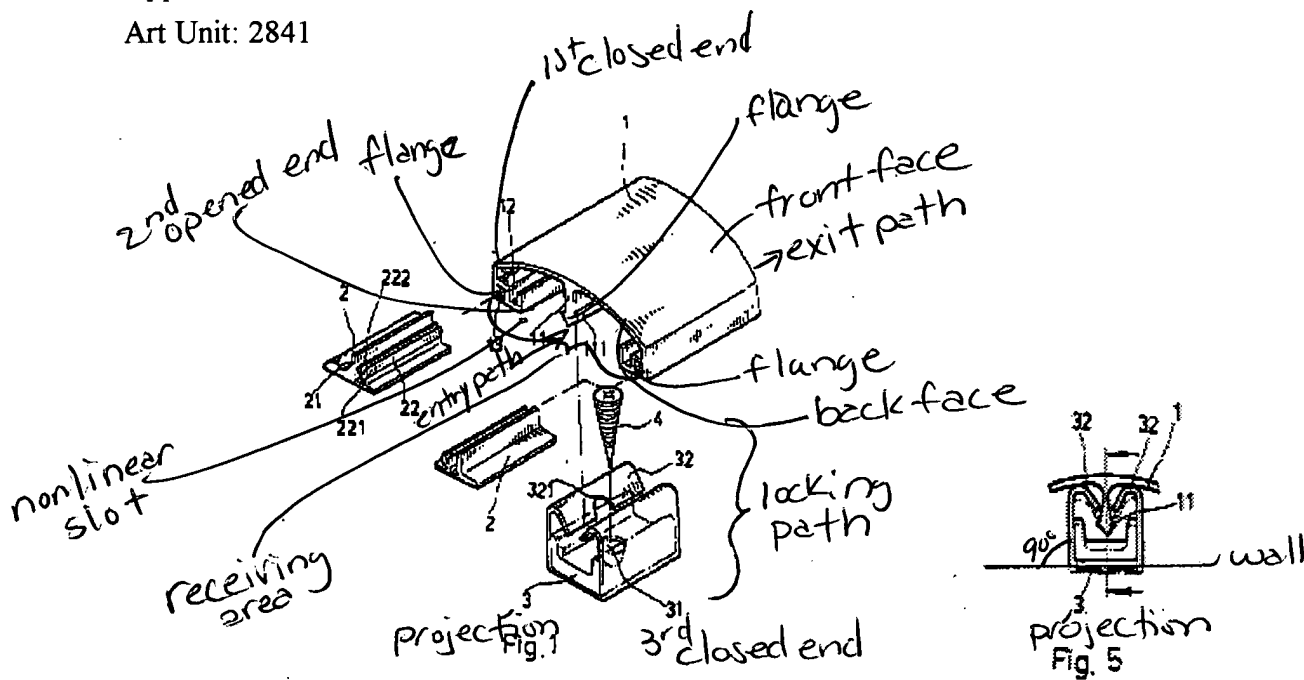


With respect to claims 14-18 and 37-42: Jou discloses a hanger (see figures below) for supporting a device, the hanger comprising a housing having a hanger face positioned substantially vertically, the hanger face being spaced-apart from a back face of the device by a sidewall; a chamber formed behind the hanger face and substantially surrounded by the sidewall;

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a nonlinear slot cut into the hanger face, the slot lying substantially in a vertical plane defined by the hanger face and opening at one end into a receiving area; and at least two flanges, one on each side of the receiving area and angled in toward the open end of the slot as stated in claims 14 and 18, respectively (see figure below); wherein the at least two flanges extend from the sidewall and are in planes that are substantially perpendicular to the hanger face as stated in claim 15; wherein the at least two flanges angle in toward each other and at their closest point appear to be spaced apart a distance approximately equal to the width of the open end of the slot as stated in claim 16; wherein the at least two flanges extend from the hanger face and are in planes that are substantially perpendicular to the hanger face as stated in claim 17; wherein the hanger is engageable with a projection extending outwardly from a wall, and wherein the slot defines an entry path for the projection, an exit path for the projection, and at least one locking path for the projection, the locking path being different than the exit path as stated in claim 37; wherein the slot includes a first closed end and a second closed end, and wherein the locking path extends between the first closed end and the second closed end as stated in claim 38; wherein the exit path extends between the first closed end and the one end, and wherein the entry path extends between the one end and the first closed end as stated in claim 39; wherein the exit path includes at least one change of direction along the nonlinear slot as stated in claim 40; wherein the change of direction appears to be at least about 45 degrees as stated in claim 41; and wherein at least a portion of the locking path appears to define an acute angle with respect to at least a portion of the exit path as stated in claim 42. (See figures below)

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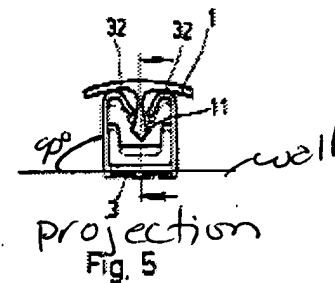
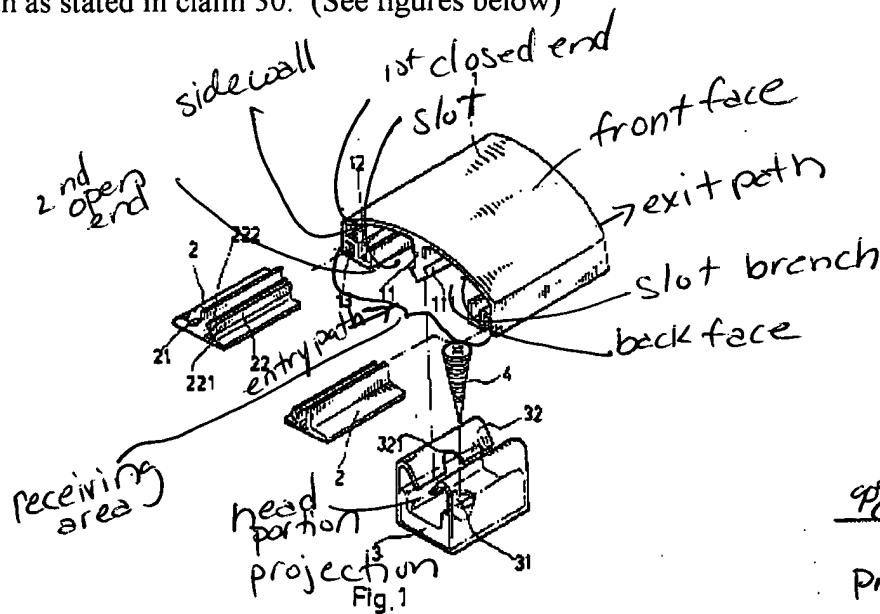


With respect to claims 19-30: Jou discloses a hanger (see figures below) for supporting a device/main element (1) on a projection (3) extending outwardly from a wall, the hanger comprising a housing (see figure below) having a hanger face; and a nonlinear slot extending into the hanger face and being engageable with the projection (3) to secure the device to the wall, the slot defining an entry path for the projection (3), an exit path for the projection (3), and at least one locking path for the projection (3) (the portion of the slot into which projection (3) and screw (4) lock into, is the locking path), the locking path being different than the exit path as stated in claim 19; wherein, when the projection is located in the locking path, the device is lockingly secured to the wall as stated in claim 20; wherein the hanger face defines a substantially vertical plane, and wherein the slot lies in the substantially vertical plane as stated in claim 21; wherein the projection includes a head portion, and wherein, when the projection is located in the nonlinear slot, the head portion engages a back surface of the hanger face, preventing movement of the device away from the wall in a direction substantially perpendicular to the substantially vertical plane as stated in claim 22; wherein the slot appears to have a



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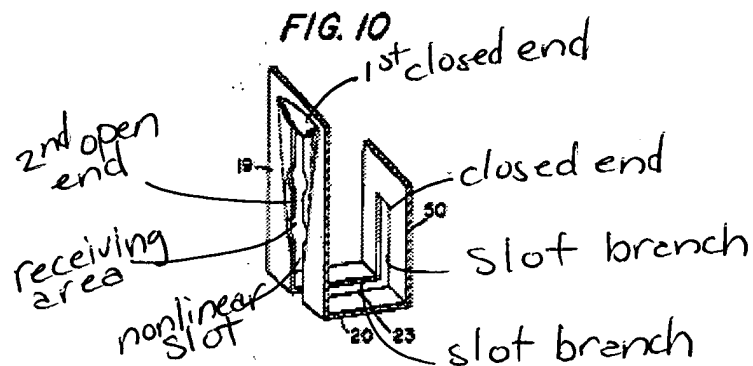
substantially constant width as stated in claim 23; wherein the slot includes a first end and a second end, the first end being closed and the second end opening into a receiving area, and wherein the receiving area appears to be at least twice as wide as the slot as stated in claim 24; wherein the slot makes at least one change of direction of greater than 45 degrees between the first end and the second end as stated in claim 25 (as stated above); wherein the slot includes an opened end, a first closed end, and a second closed end, and wherein the locking path extends between the first closed end and the second closed end as stated in claim 26; wherein the exit path extends between the first closed end and the opened end, and wherein the entry path extends between the opened end and the first closed end as stated in claim 27; wherein the exit path includes at least one change of direction along the nonlinear slot as stated in claim 28; wherein the change of direction is at least about 45 degrees as stated in claim 29; and wherein at least a portion of the locking path defines an acute angle with respect to at least a portion of the exit path as stated in claim 30. (See figures below)



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3. Claims 1-5 and 14-18 are rejected under 35 U.S.C. 102(b) as being anticipated by US 3,620,376 to Gingher [hereinafter Gingher].

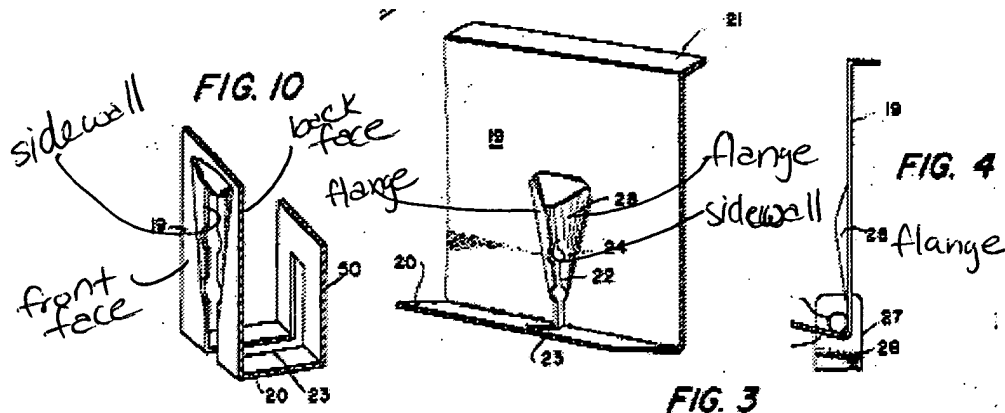
With respect to claims 1-5: Gingher discloses a hanger (see figure below), comprising a housing having a face positioned substantially vertically and a nonlinear slot cut into the face, the slot having a first end and a second end, the first end being closed and the second end being opened as stated in claim 1; wherein further comprising slot branches diverging from the slot and terminating in closed ends as stated in claim 2. Furthermore, the slot appears to have substantially constant width, wherein the slot makes at least one change of direction of greater than 45 degrees (it is 90 degrees) as stated in claims 3 and 4. Moreover, the second end appears to be opening into a receiving area, wherein the receiving area appears to be at least twice as wide as the slot, and at least one slot branch extending from the slot and having a closed end, the at least one slot branch having a substantially constant width that is substantially the same as the width of the slot as stated in claim 5. (See figure below)



With respect to claims 14-18: The device of Gingher can also be explained as having a housing having a hanger face positioned substantially vertically, the hanger face being spaced-apart from a back face of the device by a sidewall; a chamber formed behind the hanger face and

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substantially surrounded by the sidewall, a non-linear slot (22) cut into the hanger face, the slot lying substantially in a vertical plane defined by the hanger face and opening at one end into a receiving area (24), and at least two flanges (28), one on each side of the receiving area and angled in toward the open end of the slot as stated in claims 14 and 18, respectively; wherein the at least two flanges extend from the sidewall and are in planes that are substantially perpendicular to the hanger face as stated in claim 15; wherein the at least two flanges angle in toward each other and at their closest point are spaced apart a distance approximately equal to the width of the open end of the slot as stated in claim 16 (see column 3, lines 15-22); wherein the at least two flanges appear to extend from the hanger face and are in planes that are substantially perpendicular to the hanger face as stated in claim 17. (See figures below)



### *Response to Arguments*

4. Applicant's arguments with respect to claims 1-42 have been considered but are moot in view of the new ground(s) of rejection.

### *Conclusion*

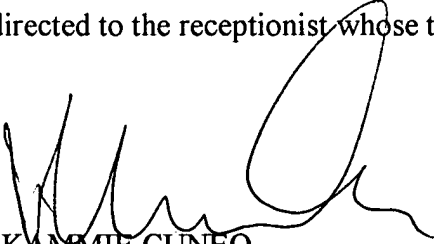
5. The prior art made of record and not relied upon is considered pertinent to applicant's

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disclosure. The prior art cited in the PTO-892 disclose related devices. US Patent 5,102,081 to Barchus discloses a electronic mounting assembly; US Patent 845,423 to Landt, US Patent 1,309,865 to Milne, US Patent 1,665,491 to Clark, US Patent 1,045,227 to Wells and US Patent 358,193 to Gause disclose a watch mounting device; US Patent 1,579,763 to Hammond discloses a bracket support for a clock; US Patent 1,720,740 to Miller et al. discloses an instrument clock lock; US Patent 659,396 to Hill discloses an indicator mounting assembly; US Patent 1,495,485 to Jerseman and US Patent 1,343,368 to Hall disclose a hanger assembly for watches.

6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Examiner Jeanne-Marguerite Goodwin whose telephone number is (571) 272-2104. The examiner can normally be reached on Monday-Friday (9am-6pm), alternate Fridays off. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2861.

JMG  
Jan. 19, 2005



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